

PRICE ONE CENT.

LAST EDITION TO ARREST FIELD.

Probably the Next Move in the Case
of Ex-Judge Terry's Killing.

THE JUSTICE AS AN ACCESSORY

So He Is Regarded by the San Joaquin
County Attorney.

Great Excitement Continues Over
the Sensational Tragedy.

The Verdict of the Coroner's Jury
Makes Nagle Responsible.

EXCITEMENT OVER THE SHOOTING.

It Does Not Abate a Jot at the Scene of
the Tragedy.

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one in which there had to be a tragedy and that the tragedy was the right way.

Terry had long been in disrepute, neither his manners nor his career having been such as to gain him respect or follow.

The shadow of that deed of '99, when Senator Broderick fell by his hand, had helped largely to place him on the black list.

As for Justice Field, although he has aroused enemies in the State by reason of his extreme course on the bench, his thorough honesty has never been questioned, and all parties agree with scarcely a dissenting voice, that the Attorney-General acted wisely

in the case of the shooting at Lathrop.

There is no doubt here in any one's mind that Justice Field would be a dead man to-day if Terry's wife had managed to reach the scene with the bullet before Terry fell.

An eye-witness of the shooting at Lathrop, who came in to this city on the same train which brought Justice Field, said that the incident was the most thrillingly dramatic he ever saw.

If produced upon a stage, it would be called an exaggeration of effects; yet there was something about it, to his mind, which immediately suggested the stage.

The entrance of the characters in the tragedy, the start by Mrs. Terry, as she recognized Justice Field, the whispered consultation of Terry and his wife, the departure of the woman, the assault upon Field and its immediate avengement.

These events all took place within a few moments, and in the midst of the ordinary bustle of a depot dining-room. Yet they stood out as prominently from the other proceedings as if they had been carefully arranged and rehearsed.

The culmination of the affair was especially rapid.

Terry walked directly up to Justice Field, saying the witness, and without a word struck him a blow in the face with his open hand.

Justice Field was dazed by the suddenness of the attack, but the Marshal was not. He immediately drew his revolver and fired.

"Stop! stop!" cried the officer to the infuriated Terry, but the latter paid no attention to the warning, and he had his hand to strike again when the Marshal's revolver was discharged.

Terry fell to the floor almost directly, his head striking the pavement with a sound, which was the only word which marked the affair.

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rested at Tracy and taken to Stockton to await the result of the inquest. That is the complete story, so far as I am aware of the facts," said the Justice, in conclusion.

NOT UNEXPECTED.

Attorney-General Miller Had Anticipated the Terry Assault.

INDIANAPOLIS, Ind., Aug. 15.—Attorney-General Miller was found at his home on North Delaware street this morning and asked concerning the order which he was said to have given to the United States Marshal at San Francisco.

"It was given out," said he, "under my direction. In June, I think it was, Justice Field, and I believe some others, brought to my mind the case, referring to the trouble there had been out there last Summer, and saying that there would likely be trouble about this Summer."

"It was thought that Judge Terry, who was stated to be a violent and desperate man, would very likely make a deadly assault on Justice Field and Judge Sawyer, one or both of them, and that some precautions ought to be taken in the premises. I therefore called the attention of the Marshal of that district to the danger, and told him that it was due to the country and the courts that precautions should be taken to keep the peace and protect the courts and judges in the discharge of their duties, and that such a number of court officers should be employed as would accomplish this result; that the judges ought to be permitted to discharge their duties without danger, and without malice. I also instructed him to consult the United States Attorney and Judge as to the course to be pursued in the premises."

"I was told," said Justice Field about the matter before he went West, he stated that while he did not fear Judge Terry, he did expect that the latter would assault him—much as he hated him, and that he was prepared to fight him when that case should come on. But he proposed, as he knew Judge Sawyer would, to perform his duties in the usual manner, without resort to any extraordinary measures. He stated to me at the time that he had been advised to arm himself, with the view to such a contingency, but that on reflection he had concluded not to do so, as he did not want to carry weapons, and did not think it consistent with the dignity and proprieties of his position."

"I was surprised to hear of this affair yesterday," said the Attorney-General was asked.

"Yes, I was; for while I had been warned that there was danger, I had hoped it was not so serious, and I had expected that it would be averted, or that if any trouble occurred it would arise in or about the courts."

TERRY'S REMARKABLE CAREER.

His Fatal Duel with Broderick and Part in the Hill-Sharon Case.

Two events in the remarkable career of the man who encountered a violent death in California yesterday stand out prominently in his history. The first was his duel with Broderick, which was fought on the Pacific coast, and the second was his part in the Hill-Sharon case, which was fought in the courts of California.

David S. Terry was a native of the South. He was born in 1839, and was educated at the University of Virginia. He was a member of the Confederate army, and was wounded at the battle of Gettysburg.

After the war, he came to California, and was admitted to the bar. He was a member of the California bar, and was a prominent lawyer. He was a member of the California legislature, and was a member of the California senate.

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against ex-Senator Sharon. Many stories were told of his career, but the most dramatic was that of his duel with Broderick, which was fought on the Pacific coast.

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BOOKSTAVES GONE.

The Judge Suddenly Departs, It Is Said
for Yellowstone Park.

Waiting for Further Developments
in the Flack Case.

Justice Monell Says He Will Make a
Sworn Statement in His Own Defense.

Will Tammany Hall go still further against
Flack, Monell, Meeks & Co. to purify itself
and the municipal government, with which
it has been charged by the vote of the people?

This question is one of many that is asked
across of the Flack divorce conspiracy.

Chamberlain Richard Croker, the No. 1
and head centre of the organization, thinks
it has done all it can and ought in the matter,
and said so to an EVENING WORLD reporter.

He has demanded and received the resignations
of Sheriff Flack, Civil Justice
Monell and Refe. Meeks as members of the
political organization, and the Sheriff also
resigned from the Tammany S. letv.

Still, Monell, Meeks and Judge Bookstaver
continue as members of the Tammany Society,
and no disposition is manifested to get
them out.

Sheriff Flack, Justice Monell and Judge
Bookstaver, too, are as yet allowed to hold
the official positions to which they were elected
by the votes of the people, being in-
dorsed as men of integrity and fit for the po-
sitions by the nomination of Tammany Hall.

A well-known politician of the Tammany
opposition expressed himself as follows re-
garding the Flack case:

"In the case of Refe Meeks Mr. Croker
did not hesitate to go to the extent of de-
manding his official head, but when the pos-
sibility of asking for that of Sheriff Flack is
suggested he says that Tammany has done all
it can do in the premises."

"He doubts the right of Gov. Hill to re-
move the Sheriff, and says that Tammany
will not make a charge against him."

"The queries naturally suggested by this
position of Mr. Croker are: Has Tammany
Hall done all it can to purify its ranks?"

Ex-Judge Fullerton was on hand at 3.30
o'clock, Judge Monell came in soon after, and
the Civil Justice, who was with his son, it was
stated, before 8 o'clock.

The clerks and subordinates in the office
clothed themselves with an air of mystery,
and no one was allowed to enter the office
except on business.

There was an extra session of the court
held in the morning, and a bulky bundle of
legal documents under his arm when he went
in, and to all who tried to get information
from him as to the steps that would be taken
by his client to get a hearing in court he de-
clined to say a word.

There was evidently something in the wind,
and the rumor was in circulation that some
sort of an application was to be made to the
Court to allow cases before the overruling
of Judge Bookstaver's decision last Tuesday.

Justice Monell was asked by an EVENING
WORLD reporter this morning about the
statement which he said in his letter to the
Court to allow cases before the overruling of
Judge Bookstaver's decision last Tuesday.

"The press will have it when I am ready
to give it out, and not before," was his curt
reply.

"It will not be a statement either, but will
be an affidavit under oath."

He looked worried, and rushed away from
the reporter, who could not get his hand on
him, and made a bee-line for the Sheriff's
office.

Judge Bookstaver was not at court this
morning, and it was announced that he
would be out of town for the remainder of
the week. One of his friends said that he
had started on his proposed trip to the Yel-
lowstone Park.

This occasion a good deal of surprise, as
Judge Bookstaver had given no indication of
his intention to be away to-day, and had
given assurances to counsel who were pro-
ceeding to argue cases before the overruling
of Judge Bookstaver's decision last Tuesday.

Members of the Bar severely criticized the
conduct of the case, and the statement which
Justice Fullerton the right to make even a
statement in behalf of his client, who was so
deeply interested in the proceedings.

It was said that the case would be argued
by him, and that it might have benefited
it to have had all the facts come out.

AN EXTRA SESSION PROBABLE.

Grave Reports at Washington Concerning
Ex-Minister Pendleton's Health.

WASHINGTON, Aug. 15.—The impression still
prevails that an extra session of Congress will
be called and that it will probably open in Octo-
ber.

Candidates for the various offices of the House
are doing their utmost to get ready, though the
Speaker'ship probably lies between Reed and
McKinley.

Private advices from Europe indicate that
the condition of ex-Minister Pendleton is very
grave.

He goes about only when accompanied by an
attendant.

Cliff shock of the loss of his wife and daughter,
followed by the prostration and his illness, has
proved very serious, and it is feared he cannot
recover.

"SILVER DOLLAR" INDICTED

RELEASED ON BAIL FOR HIS ASSAULT ON
INSPECTOR ROBERTS.

Ex-Assemblyman Charles Smith, better known
as "Silver Dollar" Smith, who assaulted Custom
Inspector Samuel A. Roberts during the en-
rollment of the Eighth Assembly District
Perform Republicans at Golden Rule Hall by
trying to gouge out his eye, has been indicted
by the Grand Jury.

He was taken before Judge Underhill this
morning and released on bail. He was re-
leased on \$500 bail.

Results at Saratoga.

SARATOGA, Aug. 15.—The races to-day re-
sulted as follows:

First Race—Three-quarters of a mile.—Milton
first, Polaris second and Successor third.

Second Race—Mile and a sixteenth.—Hindoo-
craft first and Mile second. Only two
starters.

Third Race—Mile and a sixteenth.—Montrose
first, Lavinia Belle second and Gypsy Queen
third.

Fourth Race—Mile and a sixteenth.—Gymnast
first, Volsburg second and Ben Harrison third.
Time—2:04.

NOT HER FULL SPEED.

The Teutonic's Captain Accounts for Her
Slow Trip.

A Crowd of Visitors Inspect the
New Ocean Racer.

Record Breaking Predicted for the City
of New York.

Two queenly boats of the transatlantic fleet
of cruises, drawn in at their piers this morn-
ing—the Teutonic, the City of New York, and
the brand-new White Star steamer and
Naval Reserve cruiser the Teutonic.

The big City of New York beat the Teutonic
on the trip, but has not lowered her own
record, while her rival leaves unimpaired
the score for the fastest maiden trip.

An EVENING WORLD reporter visited both
boats this morning and had a talk with Capt.
H. Parsell, of the Teutonic, and the chief
engineer of the City of New York.

"What alterations have been made in the
boat's machinery?" he asked the latter.

"No alterations," answered the engineer.
"We had her whole machinery thoroughly
overhauled before this trip. Of course, the
machinery is looked after and touched up
whenever a boat comes into port, but this was
a special wholesale refurbishing of the
New York's works."

"Why doesn't she make a better showing,
compared with her sister boat, the City of
New York?"

"That is a long thing to go into," answered
the engineer, "but I can tell you that eventu-
ally the City of New York won't ask any
favor that her sister boat won't do."

"That's stuff, too," he went on, "about
the Teutonic being the first Naval Reserve
cruiser. Why, both the City of New York
and the City of New York belong to the Naval
Reserve. We will make a record with our boat
yet."

West street and the new pier of the White
Star line were crowded with interested ob-
servers. The Teutonic was being towed by
the tugboat, and the City of New York was
being towed by the tugboat.

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